

A RESOLUTION DECLARING A SIX (6) MONTH STAY ON THE FILING, CONSIDERATION, REVIEW, AND/OR APPROVAL OF ALL NEW APPLICATIONS FOR DATA CENTERS AND RELATED ACTIVITIES IN THE CITY OF HUDSON; AND DECLARING AN EMERGENCY.

WHEREAS, the need for centers containing networked computer servers used by organizations primarily for the remote storage, processing, or distribution of large amounts of data, colloquially known as data centers, is growing throughout the United States and Northeast Ohio; and

WHEREAS, while the need for data centers grows, these facilities may carry many risks and dangers to the community; and

WHEREAS, data centers require large amounts of electricity and/or other sources of power, which can place a burden on the local supply and drive up costs of electricity and/or other implemented power sources for others in the community, potentially resulting in brownouts or blackouts, which in turn threaten the health, safety, and general welfare of the community; and

WHEREAS, data centers may also utilize large amounts of water, which can place a burden on the local supply, drive up costs, or even result in shortages for others, which also threatens the health, safety, and general welfare of the community; and

WHEREAS, just like data centers utilize large amounts of water, their sewage needs may be substantial, placing an undue burden on others in the community and posing a material risk to sewage infrastructure due to the corrosive nature of the Data Center's wastewater; and

WHEREAS, data centers produce ambient noise at substantial levels, which will need to be reasonably regulated and mitigated; and

WHEREAS, on the other hand, data centers have potential benefits including: the potential to significantly increase the City's tax base, potential infrastructural upgrades and benefits, potential development opportunities in areas that are otherwise difficult to develop, the attraction of other industries which may benefit from data centers and/or their investment in the market, among other potential benefits; and

WHEREAS, the specific risks and benefits of data centers in general and within the City are presently not firmly known; and

WHEREAS, the City seeks to make fully informed, sensible decisions concerning data centers in order to develop a plan that maximizes the benefits of data centers while minimizing their risks; and

WHEREAS, City Council wishes to continue studying a regulatory, planning, and zoning framework relating to data center and related activities; and

WHEREAS, it is expected that said studies will lead to significant additions to the Codified Ordinances of the City of Hudson with respect to business regulations and/or planning and zoning regulations for such activities and uses; and

WHEREAS, City Council deems there to be good cause and determines that it is in the best interest of the City to provide for a reasonable stay on new data centers for six months and then another six months if necessary.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hudson, Summit County, Ohio, that:

Section 1. There is hereby declared a six (6) month stay upon the acceptance for filing and consideration, review, and approval of all new applications for Data Centers and any related activities or uses in the City of Hudson. The City shall not issue any zoning permits, building permits, or other permits to any person or entity seeking to open a Data Center during the life of this stay. For purposes of this stay, "Data Center" means "a facility used, or intended to be used, primarily to house Data Center Equipment." A facility will be presumed to be used, or intended for use, primarily to house Data Center Equipment where the reasonably anticipated electricity demand exceeds 2 megawatts (MW). "Data Center Equipment" shall mean tangible personal property used or to be used to conduct or support a computer data center business or other commercial enterprise whose business model is primarily online and/or web-based, including but not limited to any of the following: (a) computers, servers, storage systems, and/or networking equipment whose primary function is the storage, processing, transmission, and/or distribution of digital data or information; (b) cooling systems to manage the performance of the other tangible personal property listed herein; (c) equipment to generate, transform, transmit, distribute, or manage the electricity necessary to operate the other tangible personal property listed herein; and/or, (d) building and construction materials sold to construction contractors for incorporation or that have already been incorporated into a facility housing any of tangible personal property listed herein.

Section 2. The Administration is directed to consider the impact of Data Centers within the City and make recommendations to Council on how best to regulate appropriately and zone Data Centers within the City in a manner that mitigates their risks while maximizing their benefits, or balances said risks and benefits. Key areas of concern include, but are not limited to, the following: electrical needs and usage, their impact on the local power grid, their ability to generate energy without impairing other resources (i.e. gas), their impact on local telecommunications services, their impact on City water resources, their ability to recycle water, their impact on City waste water services, their ability to treat water, their impact regarding noise pollution, their viability within brownfields, their anticipated annual revenue generation, etc.

Section 3. City Council may extend the stay imposed hereunder for an additional six (6) month period by motion, so long as the motion passes before the expiration of the initial six (6) month period.

Section 4. That, in the event any portion of this Resolution is found unlawful, said portion shall be severed from this Resolution and interpreted in a manner to give it the fullest effect

possible in a manner consistent with the intent of this Resolution.

Section 5. That the aforesaid recitals are rendered to be the findings of this Council and are hereby incorporated into this Resolution.

Section 6. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 7. This Resolution is declared to be an emergency measure necessary for the immediate preservation of life, property, public health, safety, public peace, and the general welfare of the City and for the further reason that it is immediately necessary to enter this stay so that the potentially harmful impacts of Data Centers can be prevented while proper guidelines and rules regulating their use and development can be studied and enacted; wherefore, this legislation shall take effect and be in force immediately upon its passage, provided it receives five (5) affirmative votes of members of Council, except that six (6) affirmative votes are required if all members are present; otherwise it shall be in full force and effect from and after the earliest period allowed by law.

PASSED: _____

Jeffrey L. Anzevino, Mayor

ATTEST:

Aparna Wheeler, Clerk of Council

I certify that the foregoing Resolution 26-108 was duly passed by the Council of said Municipality on _____, 2026.

Aparna Wheeler, Clerk of Council